

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,)	CV No. 08-3609 PA (AGR _x)
Plaintiff,)	
v.)	JUDGMENT
MERCO CONSTRUCTION)	
ENGINEERS, INC. AND CB&I)	
CONSTRUCTORS, INC.,)	
Defendants.)	Hon. Percy Anderson

The above-entitled action having been tried to a jury, plaintiff United States of America (“Plaintiff”) and the remaining defendant, CB&I Constructors, Inc. (“Defendant”), having appeared through its counsel, the jury having considered the evidence presented at trial and reached a unanimous verdict in favor of Plaintiff on all claims and having found Defendant liable for Plaintiff’s damages; and the jury having found Defendant 65% responsible and at fault for the combined negligence; and Plaintiff having settled its claims against co-defendant Merco before the jury returned its verdict, which included Merco’s agreement to pay the sum of Two Million One Hundred Thirty-two Thousand Twenty-six dollars and no/100

1 (\$2,132,026.00) to Plaintiff; and Defendant having agreed that the Merco
 2 settlement was a good faith settlement, and Defendant's liability having been
 3 appropriately reduced:

4 NOW, THEREFORE, pursuant to Fed.R.Civ.P. Rule 58(a) and
 5 Fed.R.Civ.P. Rule 58(b)(2)(A),

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that

7 1. Judgment is entered in favor of Plaintiff on all claims and that
 8 Defendant is liable for Plaintiff's damages awarded as follows:

9	A. Fire Suppression Costs	\$ 6,206,767.46
10	B. BAER Costs	496,860.13
11	C. Resource Damages	485,792.63
12	D. Intangible Environmental Damages	<u>18,720,000.00</u>
13	Total	\$25,909,420.22

14 2. Defendant is ordered to pay to Plaintiff the sum of \$25,909,420.22.

15 3. Defendant is further ordered to pay to Plaintiff pre-judgment interest
 16 and penalties to October 26, 2009 in the amount of \$1,380,527.00, plus an
 17 additional \$1,656.00 per day for each day after October 26, 2009 to the date of
 18 entry of this Judgment.

19 4. Defendant is further ordered to pay to Plaintiff costs in an amount to
 20 be determined by the Clerk pursuant to and in accordance with Fed.R.Civ.P. Rule
 21 54(d) and 28 U.S.C. § 1920.

22
 23 SO ORDERED this 18th day of November, 2009.

24
 25 
 26 _____
 27 PERCY ANDERSON
 28 JUDGE, U.S. DISTRICT COURT